

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

United States of America,

Case No. 21-cr-108 (4) (PAM/TNL)

Plaintiff,

v.

ORDER

Thomas Kiernan Lane,

Defendant.

Manda M. Sertich, Assistant United States Attorney, United States Attorney's Office, 300 South Fourth Street, Suite 600, Minneapolis, MN 55415; and Samantha Trepel, Department of Justice – Civil Rights Division, 150 M Street NE, Washington, DC 20530 (for the Government); and

Earl P. Gray, Earl Gray Defense, 332 Minnesota Street, Suite W 1610, St. Paul, MN (for Defendant).

This matter is before the Court, United States Magistrate Judge Tony N. Leung, on the following pretrial motions:

1. Government's Motion for Discovery Pursuant to Federal Rules of Criminal Procedure 16(b), 12.1, 12.2, 12.3, and 26.2 (ECF No. 43); and
2. Defendant's "Motion to Join Co-Defendants Pretrial Motions" (ECF No. 90).

A hearing was held via Zoom videoconferencing technology on September 14, 2021.¹ (ECF No. 115.) Assistant United States Attorneys Manda Sertich and Samantha Trepel appeared on behalf of the United States of America (the "Government"). Attorney

¹ Defendant previously consented to the motions hearing being conducted by videoconferencing. (ECF No. 45.) He also consented to the proceedings being held by way of videoconferencing on the record during the hearing.

Earl P. Gray appeared on behalf of Defendant Thomas Kiernan Lane. Based upon the record, memoranda, oral arguments of counsel, and the agreement of the parties as noted at the hearing, **IT IS HEREBY ORDERED** as follows:

1. The Government's Motion for Discovery Pursuant to Federal Rules of Criminal Procedure 16(b), 12.1, 12.2, 12.3, and 26.2 (ECF No. 43) is **GRANTED**.

This motion seeks discovery available under Federal Rules of Criminal Procedure 12.1, 12.2, 12.3, 16(b), and 26.2. Defendant does not object to this motion and it is granted in all respects.

2. Defendant's "Motion to Join Co-Defendants Pretrial Motions" (ECF No. 90) is **GRANTED**.

Defendant filed a motion asking to join the pretrial motions of the three co-defendants in this matter. (ECF No. 90.) The Court subsequently issued an order for Defendant to specify which particular pre-trial motion(s) he was asking to join. (ECF No. 105.) Defendant filed a letter specifying that he was asking to join Co-Defendant J. Alexander Kueng's (1) Motion to Sever (ECF No. 69), (2) Motion for *Brady* Material (ECF No. 66), and (3) Motion for Disclosure of *Giglio* Material (ECF No. 67).

The Court will grant this motion. The motion to sever is addressed in a separate order. (See ECF No. 129.) In a separate order, the Court granted in part and denied in part Kueng's Motion for *Brady* Material and Motion for Disclosure of *Giglio* Material. (See ECF No. 134.) That ruling is incorporated by reference into this Order.

3. All prior consistent orders remain in full force and effect.

4. Failure to comply with any provision of this Order or any other prior consistent order shall subject the non-complying party, non-complying counsel and/or the party such counsel represents to any and all appropriate remedies, sanctions and the like.

Date: November 29, 2021

s/Tony N. Leung
Tony N. Leung
United States Magistrate Judge
District of Minnesota

United States v. Lane
Case No. 21-cr-108 (4) (PAM/TNL)